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Minutes

Board of Boiler Rules

One Ashburton Pl, Ashburton Cafe, Boston, MA 02108

Meeting of October 22, 2013, 9:30 AM

1. Meeting called to order by the Chairman at 9:30 AM, roll call followed:

Board Members Present:

John Rogers, Chairman
Charles Perry
Anthony Lucia
Leah Francis
Ray Archambault

Board Members Not Present:

None

Guests Present:

Carrie Torrisi, DPS
Cesar Lastra, DPS
Holly Bartlett, DPS

2. Minutes of previous meetings:
 - a. The minutes from the meeting on July 9, 2013, were reviewed by members present. *A motion to approve these minutes was made by Ray Archambault, seconded by Leah Francis; motion passed by unanimous vote.*
 - b. The minutes from the meeting on July 19, 2013, were reviewed by members present. *A motion to approve these minutes was made by Anthony Lucia, seconded by Ray Archambault; motion passed by unanimous vote.*
1. Petitions for inspectional considerations (*Items a – e are extension requests for which approval has been granted by the Chairman; these requests are being reviewed by the Board at this meeting to be entered into record.*)

- a. Purity Linen Services – Extension Request dated July 15, 2013, for a 2-month extension of the inspection requirement for one unit, MA #142305, recommendation for approval made by Liberty Mutual inspector Paul Barra on August 11, 2013. This request was approved by Chairman John Rogers on September 11, 2013.
- b. Footprint Power, Salem Harbor Station – Extension Request dated July 25, 2013, for a 31-day extension of the inspection requirement for two units, MA # 074173 and MA #074172, recommendation for approval made by Arise Insurance inspector Thomas Stanton on July 26, 2013. This request was approved by Chairman John Rogers on September 11, 2013.
- c. HP Hood LLC – Extension Request dated August 12, 2013, for a 2-month extension of the inspection requirement for one unit, MA #S-73137, recommendation for approval made by Hartford Steam Boiler inspector Albert Provost on August 12, 2013. This request was approved by Chairman John Rogers on September 11, 2013.

**Motion was made at this point by Anthony Lucia to accept these five request/approvals into record, motion seconded by Leah Francis; motion passed by unanimous vote.*

- d. MATEP LLC – Extension Request dated August 28, 2013, for a 2-month extension of the inspection requirement for one unit, MA #117066, recommendation for approval made by FM Global inspector Brian Palmer on September 17, 2013. *Motion to approve this request as submitted made by Anthony Lucia, seconded by Ray Archambault; motion passed by unanimous vote.*
- e. Bunker Hill Community College – Extension Request dated October 21, 2013, for a 6-month extension of the inspection requirement for one unit, MA #60705. As this request did not contain input from either an insurance inspector, nor a state district engineering inspector, it was proposed that consideration of this request be postponed until the next meeting, and that input from the state district engineering inspector, Dave Gosselin, be sought. *Motion to postpone consideration of this request until the next meeting made by Anthony Lucia, seconded by Charlie Perry; motion passed by unanimous vote.*

3. Review of Changes to 522 CMR:

- a. The Chairman reviewed that the Board began to review input and suggested changes to 522 CMR at the July 9th meeting at the Wellesley Armory, and concluded this review at the next meeting on July 19th. During these meetings each item suggested was reviewed and discussed, and the Board members agreed on appropriate changes to be made. At today's meeting, the members of the Board conducted a review of the proposed final draft of 522 CMR with changes from the previous two meetings incorporated.
- b. Input presented by Inspector Henry Geryk regarding the merging of sections 4.00 and 5.00 was considered at this meeting. All changes/corrections will be incorporated into the draft document, which will be presented for review/approval at the next meeting.

4. Open Meeting Law Complaint:

- a. A complaint dated September 16, 2013, submitted by Paul Logan regarding alleged non-compliance by the Board was presented to the Board for review/response. The complaint consisted of two parts, firstly that the minutes being posted did not comply with the requirement for them to be in written form, and secondly that the meeting on July 19, 2013, was not properly posted. Carrie Torrisi discussed a proposed response with the Board, which will state that the minutes are, in fact, in written format, including all votes taken at the meeting in question, and that the Board did err in failing to

post notice on the Department's website, but that proper notice for this meeting was submitted to the Secretary of State's Regulations Division in accordance with the Open Meeting Law and will be posted and submitted in accordance with the Open Meeting Law moving forward. *Motion to approve the response to Mr. Logan and the Attorney General's office as presented by Ms. Torrisi was made by Leah Francis, seconded by Anthony Lucia; motion passed by unanimous vote.*

5. Adjournment – The next meeting will be on Thursday, November 7, 2013. *Motion to adjourn this meeting was made by Anthony Lucia, seconded by Leah Francis; this meeting was adjourned at 12:20.*

List of Documents/Exhibits Used at this Meeting

- a. Draft minutes from meeting on 7/9/2013
- b. Draft minutes from meeting on 7/19/2013
- c. Inspection Extension Request: Purity Linen Services
- d. Inspection Extension Request: Footprint Power Salem Harbor Station
- e. Inspection Extension Request: HP Hood LLC
- f. Inspection Extension Request: MATEP LLC
- g. Inspection Extension Request: Bunker Hill Community College
- h. E-mail from Inspector Geryk – Proposed merge of Sections 4.0 and 5.0 of 522 CMR
- i. Draft response to Open Meeting Law complaint